

1 PHILLIP A. TALBERT  
United States Attorney  
2 DAVID L. GAPPA  
Assistant United States Attorney  
3 2500 Tulare Street, Suite 4401  
Fresno, CA 93721  
4 Telephone: (559) 497-4000  
5 Attorneys for Plaintiff  
United States of America  
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9 IN THE UNITED STATES DISTRICT COURT  
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 ALDO DAVID ALCARAZ,  
15 Defendant.

CASE NO. 1:21-CR-00205 NODJ-BAM  
STIPULATION AND PROPOSED ORDER FOR  
RESTITUTION  
COURT: Hon. Dale A. Drozd

16  
17 **STIPULATION**  
18

19 Plaintiff United States of America, by and through its counsel of record, David L. Gappa, and  
20 defendant, by and through counsel for defendant Thomas P. Matthews, agree as follows:

21 1. The court sentenced the defendant at a hearing on January 29, 2024, and entered an order  
22 for restitution as part of the sentencing. Unfortunately, the court relied upon incomplete information  
23 related to the number of victims who have submitted timely and sufficient applications for restitution.  
24 The court was advised that there were 3 victims who had sought restitution. In fact, the government  
25 received, and forwarded to the Probation Office, fully-documented claims for restitution from four  
26 victims. The final package was received by Probation and an updated spreadsheet was available, but  
27 most likely given the volume of cases pending, this information did not make its way into the final  
28 version of the PSR. An attorney for that victim notified government counsel who then discovered the

oversight. But the parties believe they have a remedy.

2. The parties have communicated and agreed to request that the court issue the attached proposed order that will award restitution of \$3,000 to one additional victim who had timely submitted a request for restitution: “Lily” of the series “HG1.”

3. Below is the information for the how the \$3,000 in restitution should be paid.

Restitution payment can be made out to “Jones Day in trust for Lily” and sent to:

Jones Day  
Attn: Danielle Kunkel  
500 Grant Street, Suite 4500  
Pittsburgh, PA 15219-2514

4. The parties agree that the defendant will notify the Collections Unit, United States Attorney's Office, of any interest in property obtained, directly or indirectly, including any interest obtained under any other name, or entity, including a trust, partnership or corporation after the entry of judgement until the restitution is paid in full.

5. The restitution described above shall be paid through the Office of the Clerk of the District Court by bank or cashier’s check or money order made payable to the “Clerk, United States District Court.” The Clerk’s Office will distribute payments to victims through the representative or at the addresses listed above.

Accordingly, the parties respectfully request that the court issue the attached proposed order.

Dated: February 8, 2024

PHILLIP A. TALBERT  
United States Attorney

/s/ DAVID L. GAPP  
DAVID L. GAPP  
Assistant United States Attorney

Dated: February 8, 2024

/s/ Thomas P. Matthews  
THOMAS P. MATTHEWS  
Counsel for Aldo David Alcaraz

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
ALDO DAVID ALCARAZ,  
  
Defendant.

CASE NO. 1:21-CR-00205 NODJ-BAM  
ORDER DIRECTING PAYMENT OF  
RESTITUTION

COURT: Hon. Dale A. Drozd

**ORDER**

The court has reviewed and considered the stipulation of the parties that was filed on February 9, 2024. Good cause appearing for the requested action,

IT IS HEREBY ORDERED that the defendant pay restitution totaling \$3,000 to “Lily” of the series “HG1.”

The United States Attorney’s Office, through its Victim Witness Unit, will provide to the Clerk’s Office, Financial Department, the name and mailing address to use for distribution of the restitution payment(s) for this victim.

IT IS SO ORDERED.

Dated: February 9, 2024

  
UNITED STATES DISTRICT JUDGE